

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

CIVIL APPLICATION NO. 6368 OF 2005

IN

FIRST APPEAL (St.) NO. 28135 OF 2005

Office Notes, Office Memoranda
of Coram, appearances,
Court's orders or directions
and Registrar's orders.

Court's or Judge's Orders

Mr. Chandrashekhar Khambekar i/by
Mr. Yadhunath Choudhary for the
Applicant.

Mr. R.D. Oza for the Respondent
No.1.

CORAM: S.B. DESHMUKH, J.

DATE : 5TH OCTOBER, 2006

P.C.:

Heard learned Counsel for the
parties.

2. Learned Counsel for the respondent
no.1, has pointed out that the first
appeal (stamp) No. 28135 of 2005 is
dismissed, by way of conditional order
dated 12th January, 2006. Despite
this fact, the present civil
application is pending in this Court.
Learned Counsel for the appellant is

also heard.

3. Since the First Appeal (Stamp) No. 28135 of 2005 is dismissed by conditional order dated 12th January, 2006, this civil application does not survive and is, accordingly, dismissed.

4. Ad-interim relief, if any, granted earlier, stands vacated.

5. It is made clear that if application for restoration is filed on behalf of the applicant, it shall be considered in accordance with the provisions of law.

Sd/-

(S.B.DESHMUKH, J.)